

JEROME L. GRIMES, ) No. C 13-1214 JSW (PR)  
Plaintiff, ) **ORDER OF DISMISSAL**  
v. )  
TELLUS OPERATING GROUP, LLC, )  
Defendants. )

In accord with this ongoing practice, the Court has reviewed the allegations in the

1 present action and finds that Plaintiff alleges no facts which bring him within the  
2 "imminent danger" clause. The complaint makes claims under 42 U.S.C. § 1983 against  
3 private individuals as well as a series of nonsensical or plainly implausible allegations,  
4 including "pretext heirship rowing murder." It has been explained to Plaintiff countless  
5 times that such claims and allegations are not cognizable. Therefore, it would be futile to  
6 grant Plaintiff leave to amend. And even if Plaintiff did amend, he would be required to  
7 pay the \$350.00 filing fee, which he has never done.

8 Accordingly, this case is DISMISSED without prejudice under § 1915(g). The  
9 application to proceed *in forma pauperis* is DENIED. No fee is due. If Plaintiff is so  
10 inclined, he may bring his claims in a new action accompanied by the \$350.00 filing fee.  
11 In any event, the Court will continue to review under § 1915(g) all future actions filed by  
12 Plaintiff while he is incarcerated in which he seeks *in forma pauperis* status.

13 The Clerk of the Court shall close the files and terminate all pending motions in  
14 the cases listed in the caption of this order.

15 IT IS SO ORDERED.

16 DATED: May 1, 2013

17   
JEFFREY S. WHITE  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

JEROME L GRIMES,

Case Number: CV13-01214 JSW

Plaintiff,

**CERTIFICATE OF SERVICE**

v.

TELLUS OPERATING GROUP LLC et al,


Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 1, 2013, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jerome L. Grimes  
Napa State Hospital  
#206586-0/ Unit Q-1 & 2  
2100 Napa Vallejo Highway  
Napa, CA 94558

Dated: May 1, 2013

  
Richard W. Wieking, Clerk  
By: Jennifer Ottolini, Deputy Clerk